



PUBLIC DEFENDER OF THE STATE OF DELAWARE
ALBERT N. CARAVEL STATE OFFICE BUILDING
820 NORTH FRENCH STREET, THIRD FLOOR
P.O. BOX 8911
WILMINGTON, DELAWARE 19801

LAWRENCE M. SULLIVAN
PUBLIC DEFENDER

ANGELO FALASCA
CHIEF DEPUTY

BERNARD J. O'DONNELL
ASSISTANT PUBLIC DEFENDER

TELEPHONE
(302) 577-5119

October 12, 2001

Eric Witherspoon
W63259
Souza-Baranowski Correctional Center
P.O. Box 8000
Shirley, MA 01464

Legal Mail -- Confidential

Re: Witherspoon v. State, No. 460, 1999

Dear Mr. Witherspoon:

This is in response to your letters dated September 4 and September 7 requesting materials.

Enclosed is a copy of the file. Also enclosed is a copy of 11 *Del. C.* §301. I do not have a copy of the post-conviction form that you requested. The Superior Court Prothonotary (Clerk) provides that form on request. If you request it, they should send it to you.

The Public Defender's Office no longer represents you and we cannot continue to provide any additional legal research materials to you in the future. It is the responsibility of the State responsible for a prisoner's incarceration to provide adequate access to legal material while a prisoner is representing himself before the courts, but the State does not have to provide unlimited legal materials to an incarcerated prisoner. *Abdul-Akbar v. Watson*, 901 F.2d 329, 334-35 (3d Cir.), *cert. denied*, 498 U.S. 806, 111 S. Ct. 237, 112 L.Ed.2d 196 (1990), *on remand*, 775 F.Supp 735, 4 F.3d 195 (1993).

EX-B- Three PAGES



PUBLIC DEFENDER OF THE STATE OF DELAWARE
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October 16, 2001

Eric Witherspoon
W63259
Souza-Baranowski Correctional Center
P.O. Box 8000
Shirley, MA 01464

Re: Witherspoon v. State, No. 460, 1999

Dear Mr. Witherspoon:

Enclosed is a copy of section 301 of Title 11 of the Delaware Code. It was omitted from the materials sent to you previously. This is also to remind you that I cannot send you any more legal materials because you are no longer represented by the Public Defender's Office.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Bernard J. O'Donnell", followed by a horizontal flourish.

Bernard J. O'Donnell

enclosure



PUBLIC DEFENDER OF THE STATE OF DELAWARE
ALBERT N. CARAVEL STATE OFFICE BUILDING
820 NORTH FRENCH STREET, THIRD FLOOR
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WILMINGTON, DELAWARE 19801

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August 29, 2001

Eric Witherspoon
W63259
Souza-Baranowski Correctional Center
P.O. Box 8000
Shirley, MA 01464

Legal Mail -- Confidential

Re: Witherspoon v. State, No. 460, 1999

Dear Mr. Witherspoon:

This is in response to your letter of July 18. I am forwarding several of the items that you requested. I cannot provide anything else in the future. It is the responsibility of the State responsible for a prisoner's incarceration to provide adequate access to legal material while a prisoner is representing himself before the courts.

Very truly yours,

A handwritten signature in cursive script, reading "Bernard J. O'Donnell".

Bernard J. O'Donnell

enclosures

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